

Hazardous Waste Facility Permit

Under the provisions of N.J.S.A. 13:1E-1 et seq. known as the Solid Waste Management Act, this permit is hereby issued to:

E.R. Squibb & Sons, Incorporated  
North Brunswick, New Jersey 08903-0191

For the Purpose of Operating a:	Hazardous	Waste	Storage
Facility			
On Lot No.:	18		
Block No:	194		
In the Municipality of:	North Brunswick		
County:	Middlesex		
Under Facility Permit No.:	1215K1HP01		
EPA ID No.:	NJD 011 550 092		

This permit is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This permit shall not prejudice any claim the State may have to Riparian land nor does it permit the registrant to fill or alter, or allow to be filled or altered, in any way, lands that are deemed to be Riparian, Wetlands, stream encroachment or flood plains, or within the Coastal Area Facility Review Act (CAFRA) zone or allow the discharge of pollutants to waters of this State without first acquiring the necessary grants, permits, or approvals from the Department of Environmental Protection or the U.S. Environmental Protection Agency.

<u>December 31, 1996</u>	<u>Signed by Robert C. Ciolek, Assistant Director</u>
Issuance Date	Robert C. Ciolek, Assistant Director
	Office of Permitting

January 30, 1997  
Effective Date

January 30, 2007  
Expiration Date

## Table of Contents

<u>Item</u>	<u>Page</u>
Scope of Permit	3
Description of Hazardous Waste Activities	3
 Section I - General Conditions Applicable to all Permits	 4-9
1. Duty to Comply	4
2. Duty to Reapply	4
3. Need to Halt or Reduce Activity Not a Defense	4
4. Need to Mitigate	4
5. Proper Operation and Maintenance	4
6. Permit Actions	5
7. Property Rights	5
8. Duty to Provide Information	5
9. Inspection and Entry	5
10. Monitoring and Records	5-6
11. Signatory Requirement	6
12. Reporting Requirements	6-9
 Section II - General Conditions Applicable to	 10-17
1. Permit Modification or Revocation and Reissuance	10
2. Personnel Training	10
3. Preparedness and Prevention	10-11
4. Contingency Plan	11-12
5. Security	12-13
6. Termination of a Permit	13
7. Operating Record	14
8. Permit Limitations	14
9. Financial Requirements	14-15
10. Compliance with Other State Regulations and Statutes	15
11. Submission of Documents Required by Permit Compliance Conditions	15
12. Referenced Permit Application Documents	15-17
 Section III - Specific Conditions Applicable to	 18-24
1. Authorized Activities	18
2. Authorized Wastes	18-20
3. Waste Analysis and Quality Assurance Requirements	21-22
4. Inspection Requirements	22-23
5. Closure of Hazardous Waste Management Units	23-24

### Scope of Permit

This permit, along with the referenced permit application documents herein specified, shall constitute the sole Hazardous Waste Facility Permit for the operation of a hazardous waste storage facility by E.R. Squibb & Sons, Incorporated, located in North Brunswick Township, Middlesex County, New Jersey. Any registration, Approval or Permit previously issued by the Office of Permitting or its predecessor agencies is hereby superseded. The permittee need not comply with the conditions of this permit to the extent and for the duration such compliance is authorized by an emergency permit (40 C.F.R. § 270.61).

Section I of this permit contains the general conditions applicable to all hazardous waste facilities. Section II of this permit contains general conditions applicable to hazardous waste management activities. Section III of this permit contains specific conditions applicable to the Squibb facility.

### Description of Hazardous Waste Activities

E.R. Squibb & Sons, Inc. (hereinafter "the permittee"), located in North Brunswick Township, Middlesex County, New Jersey, manufactures and performs research and development on pharmaceutical products. Combined hazardous and low level radioactive wastes (hereinafter "mixed wastes") are generated by manufacturing, research and development operations at the site. This permit authorizes the permittee to operate a hazardous waste storage facility to store mixed wastes generated at the North Brunswick Township facility as well as those generated at other E.R. Squibb & Sons/Bristol-Myers Squibb sites in New Jersey, in an indoor container storage area with a maximum capacity of 5,500 gallons prior to shipment to authorized off-site facilities.

The permit only regulates the hazardous waste components of the mixed wastes; the radioactive components are regulated by the federal Nuclear Regulatory Commission (NRC). The permit does not authorize the disposal of mixed or hazardous waste on-site.

Section I

General Conditions Applicable to All Permits (40 C.F.R. § 270.30)

1. Duty to Comply

The permittee must comply with all conditions of this permit, except that the permittee need not comply with the conditions of this permit to the extent and for the duration such noncompliance is authorized in an emergency permit. (See 40 C.F.R. § 270.61). Any permit noncompliance, except under the terms of an emergency permit, constitutes a violation of the appropriate Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

2. Duty to Reapply

- (a) If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.
- (b) A complete application for a new permit shall be submitted at least one hundred eighty (180) days prior to the expiration date of this permit.

3. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Need to Mitigate

In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.

5. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

6. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

7. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.

8. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any relevant information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

9. Inspection and Entry

The permittee shall allow an authorized representative of the Department upon the presentation of credentials and other documents as may be required by law to:

- (a) Enter at reasonable times upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by RCRA, any substances or parameters at any location.

10. Monitoring and Records

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

- (a) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, the certification

required by 40 C.F.R. § 264.73(b)(9) of this chapter, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, certification, or application. This period may be extended by request of the Department at any time. The permittee shall maintain records from all ground-water monitoring wells and associated ground-water surface elevations, for the active life of the facility, and for disposal facilities for the post-closure care period as well.

(b) Records for monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
2. The individual(s) who performed the sampling or measurements;
3. The date(s) analyses were performed;
4. The individual(s) who performed the analyses;
5. The analytical techniques or methods used; and
6. The results of such analyses.

11. Signatory Requirements

All applications, reports, or information submitted to the Department shall be signed and certified. (see 40 C.F.R. § 270.11).

12. Reporting Requirements

(a) Planned Changes

The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility.

(b) Anticipated Noncompliance

1. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. For a new facility, the permittee may not treat, store, or dispose of hazardous waste; and for a facility being modified, the permittee may not treat, store, or dispose of hazardous waste in the modified portion of the facility except as provided in 40 C.F.R. § 270.42, until:

(i) The permittee has submitted to the Department

by certified mail or hand delivery a letter signed by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and

(ii) (A) The Department has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or

(B) If, within 15 days of the date of submission of the letter in paragraph 12(b)1i of this section, the permittee has not received notice from the Department of his or her intent to inspect, prior inspection is waived and the permittee may commence treatment, storage, or disposal of hazardous waste.

(c) Transfers

This permit is not transferable to any person except after notice to the Department. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under RCRA. (See 40 C.F.R. § 270.40).

(d) Monitoring Reports

Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(e) Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(f) Twenty-four Hour Reporting

The permittee shall report any noncompliance which may endanger health or the environment orally within 24 hours from the time the permittee becomes aware of the circumstances, including:

1. Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies.
2. Any information of a release or discharge of hazardous waste or of a fire or explosion from the HWM facility, which could threaten the environment

or human health outside the facility.

The description of the occurrence and its cause shall include:

- (i) Name, address, and telephone number of the owner or operator;
- (ii) Name, address, and telephone number of the facility;
- (iii) Date, time, and type of incident;
- (iv) Name and quantity of material(s) involved;
- (v) The extent of injuries, if any;
- (vi) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and
- (vii) Estimated quantity and disposition of recovered material that resulted from the incident.

A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Department may waive the five day written notice requirement in favor of a written report within fifteen days.

Oral Notification shall be provided to the NJDEP Hotline at (609) 292-7172. Written notification shall be provided to the Bureau of Hazardous Waste and Transfer Facilities and the Bureau of Hazardous Waste Enforcement at the addresses provided in Condition 11 of Section II of this permit.

(g) Biennial Report

A biennial report must be submitted covering facility activities during odd numbered calendar years. (See 40 C.F.R. § 264.75).

(h) Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraphs (d), (e) and (f) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in



paragraph (f) of this section.

(i) Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

(j) Significant Manifest Discrepancies

The permittee shall submit significant manifest discrepancy reports in accordance with 40 C.F.R. § 264.72.

(k) Receipt of Unmanifested Waste

The permittee shall report receipt of an unmanifested waste to the Department, within fifteen (15) days of receipt of unmanifested waste, in accordance with 40 C.F.R. § 264.76.

End of Section I

Section II

General Conditions Applicable to Facility Permit

1. Permit Modification or Revocation and Reissuance

(a) Cause for, and procedures of, modification, or revocation

and reissuance of this permit shall be as provided under 40 C.F.R. § 270.41.

- (b) Cause for, and procedures of, termination of this permit shall be as provided under 40 C.F.R. § 270.43.

2. Personnel Training (40 C.F.R. § 264.16)

- (a) Facility personnel shall successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that insures the facility's compliance with the requirements of 40 C.F.R. § 264.16, as stated in the facility's Part B permit application, and as referenced in Condition 12(b) of Section II of this permit. New employees shall be trained within six (6) months of the date of employment.
- (b) The training program shall be maintained with records and documentation describing the type and amount of both introductory and continuing training that has been and will be given to each person engaged in hazardous waste management at the facility.
- (c) The permittee shall keep the training records on current personnel until closure of the facility; training records on former employees shall be kept for at least three (3) years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

3. Preparedness and Prevention (40 C.F.R. § 264.30 through § 264.34)

The facility shall be designed, constructed, maintained and operated to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, surface water or groundwater which could threaten human health or the environment.

- (a) The facility shall be equipped with emergency equipment, including but not limited to:
  - 1. An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;
  - 2. A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;
  - 3. Portable fire extinguisher, fire control equipment, spill control equipment, and decontamination

equipment; and

4. Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

- (b) All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, shall be tested and maintained as necessary to assure its proper operation in time of emergency.

4. Contingency Plan (40 C.F.R. § 264.50 through § 264.56)

- (a) The provisions of the Contingency Plan included in the Part B permit application plus all amendments, revisions and modifications thereof subsequently submitted for review and accepted by the Department, and as referenced in Condition 12(b) of Section II of this permit, shall be carried out immediately whenever there is a fire, explosion or release of hazardous waste constituents which could threaten health or the environment.

- (b) When an emergency coordinator determines that the facility has had a discharge, fire, or explosion which could threaten human health or the environment outside the facility, the emergency coordinator shall immediately notify the local Fire Department and local Police Department if an assessment indicates that evacuation of local areas may be advisable. The emergency coordinator shall be available to help officials decide if local areas should be evacuated. The telephone numbers are:

Fire Department: (908) 828-5554

Police Department: (908) 545-3200

- (c) 1. If the facility has a discharge, fire, or explosion which could threaten human health or the environment, the following shall be notified immediately:

New Jersey Department of Environmental Protection  
Communication Center/Trenton Dispatch  
Bureau of Communication and Support Services  
Trenton, NJ 08625  
Telephone (609) 292-7172 (24 Hours)

2. Additionally, if the emergency coordinator determines that the facility has had a discharge, fire, or explosion which could threaten human health, or the environment, outside the facility, the emergency coordinator shall immediately notify:

National Response Center  
2100 Second Street, SW

Washington, D.C. 20593  
Telephone 1-800-424-8802 (24 Hours)

- (d) If the emergency coordinator determines that the facility has had a discharge, fire, or explosion which would threaten human health or the environment, the emergency coordinator shall immediately notify the agencies listed in Condition 4(c). When notifying these agencies, the coordinator shall report the type of substance and the estimated quantity discharged, if known; the location of the discharge; actions the person reporting the discharge proposes to take to contain, clean up and remove the substance if any and any other information concerning the discharge which the Department may request at the time of notification.
- (e) The owner or operator shall note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, the owner or operator shall submit a written report on the incident to the Department. The report shall include, but not be limited to:
  - 1. Name, address, and telephone number of the owner or operator;
  - 2. Name, address, and telephone number of the facility;
  - 3. Date, time, and type of incident;
  - 4. Name and quantity of material(s) involved;
  - 5. The extent of injuries, if any;
  - 6. An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
  - 7. An estimated quantity and disposition of recovered material that resulted from the incident.

5. Security (40 C.F.R. § 264.14)

- (a) The permittee must maintain the security procedures as described in the facility's security plan, included in the Part B permit application plus all amendments, revisions and modifications thereof subsequently submitted for review and accepted by the Department, and as referenced in Condition 12(a) of Section II of this permit.
- (b) The permittee shall prevent the unknowing entry, and minimize the possibility for the unauthorized entry, of persons or livestock onto the active portion of the facility.

1. A facility shall have:
  - i. A 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility; or
  - ii. An artificial or natural barrier, which completely surrounds the active portion of the facility; and a means to control entry, at all times, through the gates or other entrances to the active portion of the facility.
2. The requirements of paragraph (b)1 are satisfied if the hazardous waste storage, treatment or disposal site is located in a facility which itself has a surveillance system, or a barrier and a means to control entry, which complies with the requirements of subparagraph (b)1i or (b)1ii.
3. The owner or operator shall post a sign with the legend, "Danger - Unauthorized Personnel Keep Out", at each entrance to the active portion of a facility, and at other locations, in sufficient numbers to be seen from any approach to this active portion. The legend shall be written in English and in any other language prevalent in the area surrounding the facility and must be legible from a distance of at least twenty five (25) feet. Existing signs with a legend other than "Danger - Unauthorized Personnel Keep Out" may be used if the legend on the sign indicates that only authorized personnel are allowed to enter the active portion, and that entry onto the active portion can be dangerous.

6. Termination of a Permit (40 C.F.R. § 270.43)

The following are causes for terminating a permit during its term or for denying a permit renewal application:

- (a) Noncompliance with any condition of this permit; or
- (b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or
- (c) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination.

7. Operating Record (40 C.F.R. § 264.73)

The permittee shall keep a written operating record at the

facility in which the information required under 40 C.F.R. § 264.73(b) shall be recorded. The information shall be recorded as it becomes available and maintained in the operating record until closure of the facility.

8. Permit Limitations (40 C.F.R. § 270.4(c))

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights or any infringement of applicable Federal, State, or local laws or regulations.

9. Financial Requirements (40 C.F.R. § 264.147)

- (a) The permittee shall maintain financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility. The permittee shall have and maintain liability coverage for sudden occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million exclusive of legal defense costs. The permittee shall demonstrate financial responsibility for sudden accidental occurrences according to the mechanisms given in 40 C.F.R. § 264.147 paragraphs (a)(1), (2), (3), (4), (5) or (6).
- (b) The permittee shall establish financial assurance for closure of the facility. The permittee shall use a financial assurance mechanism approved by the Department, from the options specified in paragraphs (a) through (f) of 40 C.F.R. § 264.143.
- (c) The permittee shall adjust the closure cost estimate for inflation within sixty (60) days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with 40 C.F.R. § 264.143. If the permittee uses the financial test or corporate guarantee, the closure cost estimate shall be updated for inflation within thirty (30) days after the close of the firm's fiscal year and before submission of the updated information to the Department. The adjustment may be made by recalculating the maximum costs of closure in current dollars, or by using an inflation factor derived from the most recent Implicit Price Deflator for Gross National Product published by the U.S. Department of Commerce in its *Survey of Current Business*. The inflation factor is the result of dividing the latest published annual Deflator by the Deflator for the previous year.
  - 1. The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.
  - 2. Subsequent adjustments are made by multiplying the

latest adjusted closure cost estimate by the latest inflation factor.

- (d) During the active life of the facility, the permittee shall revise the closure cost estimate no later than (30) days after the Department has approved the request to modify the closure plan, if the change in the closure plan increases the cost of closure. The revised closure cost estimate must be adjusted for inflation as specified in 40 C.F.R. § 264.142(b).
- (e) The permittee shall keep at the facility during the operating life of the facility, the latest closure cost estimate prepared in accordance with 40 C.F.R. § 264.142(a) and (c) and, when this estimate has been adjusted in accordance with 40 C.F.R. § 264.142(b), the latest adjusted closure cost estimate.
- (f) The wording of all financial documents (except for the insurance policy itself) that are submitted under paragraphs (a), (b) and (c) of this Condition must be as per 40 C.F.R. § 264.151 with the changes specified at N.J.A.C. 7:26G-8.1(c)8.

10. Compliance with Other State Regulations and Statutes

The permittee shall comply with all regulations of the Department of Environmental Protection and other State Statutes applicable to the facility. Regulations are effective upon publication in the New Jersey Register or as otherwise indicated in the Notice of Adoption in the New Jersey Register.

11. Submission of Documents Required by Permit Conditions

The permittee shall submit all permit compliance documents required by this permit to the following:

- (a) New Jersey Department of Environmental Protection  
Office of Permitting  
Bureau of Hazardous Waste and Transfer Facilities  
CN 421  
Trenton, NJ 08625-0421
- (b) New Jersey Department of Environmental Protection  
Solid and Hazardous Waste Enforcement  
Bureau of Hazardous Waste Enforcement - (Central)  
300 Horizon Center - CN 407  
Robbinsville, New Jersey 08625-0407

12. Referenced Permit Application Documents

- (a) The permittee shall operate the facility, and construct or install associated appurtenances thereto, in accordance with the regulations contained in 40 C.F.R. Parts 260 and 270, the conditions of this permit, and the

following permit application documents:

1. Permit Application dated May 8, 1995, certified by Tom Primm, Vice President of North American Manufacturing, E.R. Squibb & Sons, with revisions dated June 24, 1996.
2. Drawings No. D27970 and D27971, General Site Plan, and Drawing No. D30506, Building 81 Floor, signed and sealed on September 14, 1995 by Edward Menendez, New Jersey registered professional engineer.
3. Drawing No. DX 28892, Drainage and Land Use Plan, dated October 1992, signed and sealed by Paul J. Emilius, Jr., New Jersey registered professional engineer.

In case of conflict, the applicable hazardous waste management regulations contained in 40 C.F.R. shall have precedence over the conditions of this permit, and the conditions of this permit shall have precedence over the Part B permit application documents listed above.

- (b) One complete set of the permit application documents listed in Condition 12(a) above, this Hazardous Waste Facility Permit, and all records, reports and plans as may be required pursuant to this permit shall be kept on-site and shall be available for inspection by authorized representatives of the Department upon presentation of credentials. The records, reports and plans required pursuant to this permit include the following:

1. The Personnel Training Plan and records required by Condition 2 of Section II of this permit and 40 C.F.R. § 264.16.
2. The Preparedness and Prevention Plan required by Condition 3 of Section II of this permit and 40 C.F.R. § 264.30.
3. The Contingency Plan required by Condition 4 of Section II of this permit and 40 C.F.R. § 264.50, and specifically the plan prepared by E.R. Squibb dated May 8, 1995, with revisions dated June 24, 1996.
4. The written Operating Record required by Condition 7 of Section II of this permit and 40 C.F.R. § 264.73.
5. Copies of the financial documents and closure cost estimate required by Condition 9 of Section II of this permit and 40 C.F.R. 264.140.
6. The Waste Analysis Plan outlined in Condition 3 of Section III of this permit and as required by 40 C.F.R. § 264.13, and specifically the plan prepared



by Bristol-Myers Squibb dated May 8, 1995, with revisions dated June 24, 1996.

7. The Inspection Requirements required by Condition 4 of Section III of this permit and 40 C.F.R. § 264.174.
8. The Closure Plan required by Condition 5 of Section III of this permit and 40 C.F.R. § 264.112 and specifically the plan prepared by dated May 8, 1995 with revisions dated June 24, 1996.

END OF SECTION II

### Section III

#### Specific Facility Conditions

#### 1. Authorized Activities

##### Container Storage

- (a) The permittee is authorized to store hazardous waste generated on-site and at other E.R. Squibb & Sons/Bristol Myers Squibb sites, identified in Section 1 of the permit application cited in Condition 12(a) of Section II of this permit, in containers for a facility maximum of 5,500 gallons as detailed in the permit application and drawings cited in Condition 12(a) of Section II of this permit and as follows:

Container Storage Area I.D.	Design Capacity (gallons)	Container Type	Aisle Space (inches)	Stacking height
Building 81	5,500	1 - 55 Gallons	18	1

- (b) A secondary containment system, constructed of concrete shall be maintained free of cracks or gaps and of adequate capacity and be sufficiently impervious to contain leaks and spills until the collected material is detected and removed. The base shall have adequate structural integrity to withstand the maximum stress applied to the base due to activities or structures placed in the containment area. The secondary containment system shall be maintained and operated to efficiently drain and remove liquids resulting from leaks and spills.
- (c) Spilled or leaked waste shall be removed from the secondary containment system in a timely manner, to prevent blockage or overflow of the collection system.
- (d) The containers shall be managed in compliance with all provisions of 40 C.F.R. § 264.173.
- (e) The permittee shall not place a waste which is incompatible with waste already in a container, or incompatible with a material of construction of a container, in that container. The permittee shall not place a hazardous waste in an unwashed container which previously held an incompatible waste or material. The permittee shall evaluate each waste, prior to its addition to any container, to ensure compliance with 40 C.F.R. § 264.17(b).

#### 2. Authorized Wastes

The permittee is authorized to store the following hazardous wastes types, generated on-site and by other E.R. Squibb &

Sons/Bristol Myers Squibb sites in New Jersey, in containers prior to transfer to an authorized off-site treatment, storage and disposal facility:

<u>Hazardous Waste Number</u>	<u>Description</u>
D001	Ignitable as defined in 40 C.F.R. § 261.21
D002	Corrosive as defined in 40 C.F.R. § 261.22
D003	Reactive as defined in 40 C.F.R. § 261.23
D004	Toxicity Characteristic of Arsenic by TCLP
D006	Toxicity Characteristic of Cadmium by TCLP
D007	Toxicity Characteristic of Chromium by TCLP
D008	Toxicity Characteristic of Lead by TCLP
D009	Toxicity Characteristic of Mercury by TCLP
F001	The following spent halogenated tetrachloroethylene, trichloro- ethylene, methylene chloride, 1,1,1,-trichloroethane, carbon tetrachloride, and chlorinated fluorocarbons; all spent solvent mixtures/blends used in degreasing containing, before use, a total of 10 percent or more of the above halogenated solvents or those solvents listed in F002, F004 and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.
F002	The following spent halogenated solvents: tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1- trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2- trifluoroethane, 0- dichlorobenzene, trichlorofluoromethane, and

1,1,2-trichloroethane; all spent solvent mixtures/blends containing, before use, a total of 10 percent or more (by volume) of one or more of the above halogenated solvents or those listed in F001, F004, F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.

F003

The following spent non-halogenated solvents: xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone, and methanol; all spent solvent mixtures/blends containing, before use, only the non-halogenated solvents listed above; and all spent solvent mixtures/blends containing, before use, one or more of the above non-halogenated solvents, and a total of 10 percent or more (by volume) of one or more of those solvents listed in F001, F002, F004 and F005; and the still bottoms from the recovery of these spent solvents and spent solvent mixtures.

F005

The following spent non-halogenated solvent: toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2-ethoxyethanol, and 2-nitropropane; all spent solvent mixtures/blends containing, before use, a total of 10 percent or more (by volume) of one or more of the non-halogenated solvents listed above or those solvents listed in F001, F002 or F004; still bottoms from the recovery of these spent solvents and spent solvent mixtures.

### 3. Waste Analysis and Quality Assurance Requirements

- (a) The permittee shall adhere to the provisions of the waste analysis plan cited in Condition 12(b) of Section II of this permit, and any subsequent revisions approved by the Department's Office of Permitting.
- (b) Each hazardous waste generated at the authorized locations shall be fully identified and classified in accordance with 40 C.F.R. § 261.3. At a minimum, the permittee shall develop all of the information which must be known to store the waste in accordance with the provisions of this permit, as well as to treat or dispose of the waste at an authorized facility. If any hazardous waste cannot be fully identified and classified from the company knowledge of the process through which the waste was generated, then the permittee shall have proper samples of the waste analyzed in accordance with the test parameters and methods listed below, utilizing the Quality Assurance/Quality Control methodology established by the Department.

<u>Hazardous Waste Characteristic</u>	<u>Test Parameters</u>	<u>Test Method</u>
Corrosivity	pH	SW846-9040
Ignitability	Flash Point	SW846-1010
Reactivity	Cyanide, Sulfide	SW846-9010 SW846-9030
Toxicity	TCLP Organic TCLP Metals	SW846-1311 SW846-6010, 7470, 7471
	VOs	GS/MS Screen SW846-8240

- (c) Sampling methods shall be in accordance with the procedures as outlined in the waste analysis plan cited in Condition 12(b) of Section II of this permit, and shall employ equipment as prescribed in the latest edition of EPA Manual SW 846.
- (d) The permittee shall maintain in the written Operating Record required by Condition 7 of Section II of this permit, as per 40 C.F.R. § 264.73(b)(3), records and results of all waste analyses performed. Such records and results shall be entered into the written Operating Record as they become available and shall be maintained until closure of the facility.
- (e) The permittee shall maintain the following information as

per 40 C.F.R. § 270.30(j)(3) in the written Operating Record:

1. The date, exact place, and time of sampling or measurements;
2. The individual(s) who performed the sampling or measurements;
3. The date(s) the analyses were performed;
4. The individual(s) who performed the analysis;
5. The analytical techniques or methods used; and
6. The results of the analysis.

(f) No changes shall be made to the waste analysis plan without the prior approval of the Division of Solid and Hazardous Waste.

4. Inspection Requirements (40 C.F.R. § 264.15, § 264.174 and § 270.14(b)(5))

The permittee shall inspect the areas and items listed below at least weekly for deterioration or malfunction which may cause discharge of hazardous waste or a threat to human health or the environment. The results of the inspection shall be maintained for at least three (3) years from the date of inspection at the facility.

(a) Container Storage Area

1. All containers sealed
2. Any leaking containers or spills
3. Any deteriorating containers
4. Any containers swollen or bulged
5. Any containers concave due to internal vacuum building up
6. Any containers with corrosion
7. All containers properly labeled, identified and stacked
8. All containers compatible with waste stored in them
9. Indications of cracks or leaks in concrete floor, concrete sump, concrete curbs, or concrete vehicle ramps
10. Aisle space access - minimum 18"

(b) All container storage safety/emergency equipment shall be inspected as outlined in the Part B permit application referenced in Condition 12(a) of Section II of this permit.

(c) The permittee shall remedy any deterioration or malfunction of equipment or structures which the

inspection reveals, on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action must be taken immediately.

- (d) A log shall be kept of the inspections and any remediation actions described under paragraphs (a) through (c) above to confirm adequate maintenance of the hazardous waste storage area and all appurtenances.

5. Closure of Hazardous Waste Management Units (40 C.F.R. § 264.110)

Container Storage Areas

- (a) At the time of final closure, the permittee shall close the Hazardous Waste Container Storage Unit in the manner that is stated in 40 C.F.R. § 264.110, closure plan referenced in Condition 12(b)8 of Section II of this permit, and the following:
  - 1. All hazardous wastes shall be removed from the hazardous waste container storage area and manifested to an authorized hazardous waste facility within ninety (90) days from the date of implementation of the closure plan.
  - 2. All hazardous waste residues shall be removed from the containment system, containerized and manifested to an authorized facility. Wipe and chip samples shall be obtained from the containment system and tested for all parameters listed in Section 7 of the permit application referenced in Condition 12(a) of Section II of this permit. The analysis results of the wipe and chip samples shall be submitted to the Department at the address listed in Condition 11(a) of Section II of this permit, within sixty (60) days from the date of sampling.
  - 3. If contamination is detected based on the sampling and analysis described in 2 above, the containment system shall be steam cleaned and washed with high pressure water. Final rinse water from the hazardous waste container storage area and a wash water blank sample shall be collected and tested for same. Decontamination methods shall be repeated until the concentrations of the rinse water test parameters are equal to the amount present in a wash water blank. The analysis results of final rinse water sample and the wash water blank shall be submitted to the Department at the address listed in Condition 11(a) of Section II of this permit, within sixty (60) days from the date of sampling.
  - 4. Within two hundred forty (240) days from the date of

implementation of the closure plan, when closure is completed, the owner or operator shall submit to the Department, at the address listed in Condition 11(a) of Section II of this permit, by registered mail, a certification that the hazardous waste management unit or facility, as applicable, has been closed in accordance with the specifications in the approved closure plan and the conditions of this permit. The certification must be signed by the owner or operator and signed and sealed by an independent professional engineer registered in the State of New Jersey.

5. The Department will review the submitted certification and rinse water analysis results and will conduct a closure certification inspection. If the rinse water analysis results are determined to be satisfactory and there is a satisfactory closure certification inspection, the closure certification will be accepted by the Department and the closure will be deemed complete.
- (b) The permittee shall keep a copy of the closure plan and all revisions to the plan at the facility until closure is completed.
- (c) The permittee shall amend the closure plan any time changes in operating plans or facility design affect the closure plan or whenever there is a change in the expected year of closure of the facility. The permittee must comply with the requirement cited at 40 C.F.R. § 264.112(c)(3) for amendment of closure plan.
- (d) The permittee shall notify the Department at least forty five (45) days prior to the date the permittee expects to begin closure, except in cases where the facility's permit is terminated or if the facility is otherwise ordered by judicial decrees or compliance order to close. The date when the owner or operator "expects to begin closure" shall be within thirty (30) days after the date on which the owner or operator expects to receive the final volume of wastes.

END OF SECTION III

DOCUMENT: BMSNB